

MARYLAND WIC PROGRAM & MARYLAND DEPARTMENT OF AGRICULTURE



FARMERS' HANDBOOK
Effective 2019

Contents

Introduction.....4

Rules and Regulations.....5

What Can Be Purchased6

Farmers’ Market Nutrition Program Checks7

Processing WIC & Senior FMNP Checks8

The Maryland WIC Program’s Fruit & Vegetable Benefit9

The Maryland WIC FVB 10

Equipment for Processing eWIC..... 11

Processing Maryland eWIC Transactions..... 12

FVB/FMNP Comparison 13

Training Materials 14

The Farmer Identification Stamp 14

Farmer Monitoring and Investigations 15

Farmer Sanctions 17

WIC Appeals..... 18

FMNP Appeals 19

Farmer Complaints..... 20

Farmer Complaint Form..... 21

Frequently Asked Questions..... 22

Who to Call If You Need Assistance 25

Introduction

Dear Maryland Farmer,

There are two United States Department of Agriculture (USDA) programs available for farmers to participate in, these programs are:

1. The Farmers' Market Nutrition Program (FMNP) for WIC and Seniors (SFMNP)
2. The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Fruit & Vegetable Benefit (FVB).

The FMNP provides checks for WIC and Senior participants to purchase fresh, unprepared, locally grown fruits and vegetables from June through November. This program expands the awareness of the variety of local fruits and vegetables that can be found at farmers markets and has the potential to increase farmer sales. In addition to the FMNP checks, the WIC Program provides fruit and vegetable benefits (FVBs) to WIC participants to purchase fruits and vegetables at farmers' markets and grocery stores throughout the year.

This Farmers' Handbook will provide you with instructions on what participants can buy under each program and how to accept and process both the FMNP checks and the WIC Fruit and Vegetable Benefit.

Rules and Regulations

- Farmers are required to display the “WIC & Seniors Farmers’ Market Nutrition Program” sign and their associated farm name.
- Prices for all FMNP authorized foods must be posted.
- FMNP/SFMNP checks can only be redeemed for produce grown by the farmer.
- FMNP/SFMNP Checks can only be redeemed at farmers’ markets and private farm stands by the authorized farmer.
- Authorized FMNP farmers must offer the same quality of produce to FMNP customers and cannot charge FMNP customers more than they charge other customers.
- FMNP customers must be shown the same courtesies as all other customers.
- FMNP checks are valid from June 1st through November 30th. FMNP farmers will not be reimbursed for checks accepted after November 30th.
- Farmers authorized to accept eWIC must post the “eWIC Accepted Here sign”.
- Notify MDA if you change the markets you attend.



What Can Be Purchased

The Farmers' Market Nutrition Program

Farmers' Market Nutrition Program (FMNP) was established by Congress in 1992 to provide fresh, unprepared, locally grown fruits and vegetables to WIC participants and seniors. This program also expands the awareness of farmers' markets and the variety of locally grown produce.

Allowed

- All locally grown fruit, vegetables and herbs grown by an authorized farmer.
- Seniors only may purchase honey.

Not Allowed

- Foods processed or prepared beyond their natural state except for usual harvesting and cleaning processes.
- Jams
- Jellies
- Breads
- Maple Syrup
- Cider
- Nuts
- Seeds
- Dried Plums (prunes)
- Dried Chilies or Tomatoes
- Eggs or cheese
- Meat or seafood

If you have questions about allowable fruits and vegetables permitted for purchase using FMNP checks, please contact the Maryland Department of Agriculture (MDA) at 410-841-5776.

Farmers' Market Nutrition Program Checks

Farmers' Market Nutrition Program (FMNP) checks are processed by the Maryland Department of Agriculture's Farmers' Market Nutrition Program and distributed by WIC clinics to WIC participants and by Senior Centers to the senior participants. FMNP checks are issued for a set dollar amount. Each WIC family participating in the FMNP receives at least six, \$5 checks to spend throughout the growing season. Each senior receives six, \$5 checks. The farmer always receives payment for the full amount of the check no matter what the purchase amount is. If the participant buys more than the amount on the check, they must pay the difference in cash.

The color of the FMNP checks changes each season to help you easily identify valid checks. Please pay attention to the color and dates of the checks each year. **You must follow the Maryland Department of Agriculture's guidelines for accepting these checks and depositing for payment.**

Maryland 2019 WIC Farmers' Market Nutrition Program
Pay to the order of authorized
Maryland Farmers' Market Vendor
Farmer must deposit no later than December 6, 2019
NOT VALID AT GROCERY STORES
Good for the purchase of fresh, locally grown
vegetables, fruits, and cut herbs from a FMNP
Vendor. Any other use constitutes fraud.
www.mda.maryland.gov
Click on Farmers Markets
to find a market near you
2020202 ALLIANCE BANK • HONOLULU LAND SERVICES • CLARK CITY, MN 56222

Account # 8000029
7/5-12/48/919
400001
STAMP AUTHORIZED FMNP
FIRST DATE OF USE: 6/01/19 LAST DATE OF USE: 11/30/19
PAY EXACTLY
\$ 5.00
NO CHANGE GIVEN
VENDOR NUMBER HERE
PARTICIPANT'S SIGNATURE

Maryland 2019 Senior Farmers' Market Nutrition Program
Pay to the order of authorized
Maryland Farmers' Market Vendor
Farmer must deposit no later than December 6, 2019
NOT VALID AT GROCERY STORES
Good for the purchase of fresh, locally grown
vegetables, fruits, honey, and cut herbs from a
SFMP Vendor. Any other use constitutes fraud.
www.mda.maryland.gov
Click on Farmers Markets
to find a market near you
2020202 ALLIANCE BANK • HONOLULU LAND SERVICES • CLARK CITY, MN 56222

Account # 8000037
7/5-12/48/919
900001
STAMP AUTHORIZED FMNP
FIRST DATE OF USE: 6/01/19 LAST DATE OF USE: 11/30/19
PAY EXACTLY
\$ 5.00
NO CHANGE GIVEN
VENDOR NUMBER HERE
PARTICIPANT'S SIGNATURE

Processing WIC & Senior FMNP Checks

Follow these procedures when accepting WIC FMNP or SFMNP checks.

The customer should:

- Select the produce they wish to purchase.
- Inform the farmer they are paying with a WIC FMNP or SFMNP check.
- Sign the check on the signature line.
- Give the farmer the WIC FMNP or SFMNP check.

The farmer should:

- Only allow the purchase of produce they have grown.
- Allow purchases to be combined with cash purchases (if the total of the items being purchased exceeds the value of the check, the customer pays the difference).
- Not provide change if the purchase amount is less than the face value (\$5) of the FMNP check.
- Allow FMNP checks to be combined (for example, two \$5 FMNP checks may be used for a \$10 total purchase).

The Maryland WIC Program's Fruit & Vegetable Benefit

In 2007, the U.S. Department of Agriculture, Food and Nutrition Service modified the WIC food package to include fruits and vegetables for women, infants and children. Federal regulations specify the types of fruits and vegetables that can be purchased with WIC fruit and vegetable benefits (FVBs).

Allowed

- Any variety of fresh whole or cut fruit or vegetable from any source.

Not Allowed

- Vegetables or fruit with added sugars, fats or oils
- Herbs, spices, Ketchup or other condiments
- Pickled vegetables, olives, juices or soups
- Creamed or sauced vegetables
- Vegetable-grain (pasta or rice) mixtures
- Peanuts, fruit-nut mixtures; breaded vegetables
- Fruits and vegetables for purchase on salad bars
- Ornamental and decorative fruits and vegetables such as chili peppers on a string, gourds, painted pumpkins, fruit baskets, and party trays
- Items such as breads, blueberry muffins and other baked goods
- Fruit leathers, fruit roll-ups, and fruit pouches

Mature legumes (dry beans and peas) and juices are provided as separate WIC food categories and are not authorized to be purchased with FVBs.

If you have questions about allowable fruits and vegetables permitted for purchase by WIC participants using FVBs, contact the Maryland WIC State office at 410-767-5722.

The Maryland WIC FVB

The WIC Program issues benefits to participants using an electronic benefits issuance system known as eWIC. To process eWIC, a Point-of-Sale (POS) terminal and internet access is required.

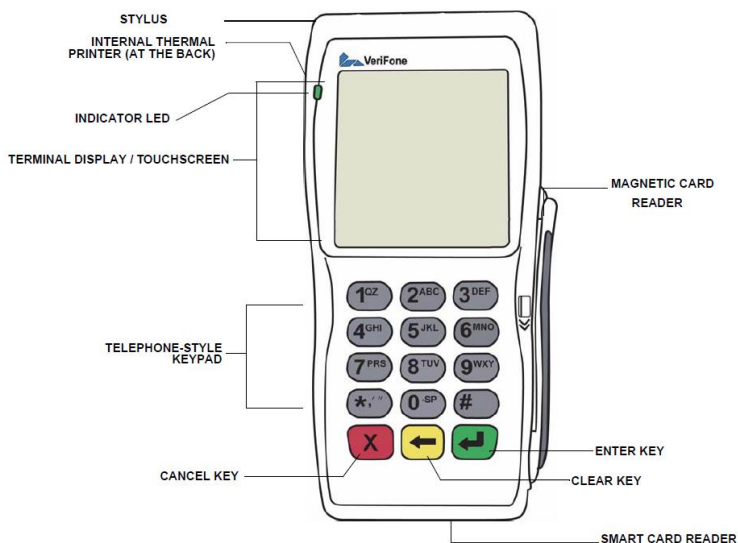


WIC fruit & vegetable benefits are loaded onto the family eWIC account. Children receive \$9 and women receive \$11 or \$16.50 monthly, year-round, to purchase fruits and vegetables. WIC participants may purchase any produce with their FVBs except those items listed on page 9.

Equipment for Processing eWIC

New eWIC farmers will need to rent equipment from our third-party processor, Solutran. There are fees associated with this equipment rental.

- You will sign an agreement with our third-party processor (Solutran) for the use of the equipment and to set up direct deposit for payment on approved eWIC transactions.
- The terminal is shipped to the farmer.
- Once you receive the terminal, Solutran will set up phone training.
- You will need a non-public WiFi or a “hotspot” for an internet connection. Most smart phones can be used as a hotspot.
- A public internet connection will not work because the wireless terminal does not have a web browser, which is required to accept “terms of use” for this connection.
- There are NO transaction fees.



Processing Maryland eWIC Transactions

The eWIC transaction:

- Customer selects their fruits and vegetables.
- Farmer totals the produce selected by participant.
- Farmer slides eWIC card on terminal.
- Customer enters PIN.
- Farmer enters amount of sale.
- The sale completes, and farmer gives customer receipt.

Amount of purchase



Approval of Sale



FVB/FMNP Comparison

The chart below illustrates how accepting and processing WIC FVBs and FMNP checks are different. It is important for you to know that WIC participants may use both FVBs and FMNP checks at your stands. Make sure that your staff know the difference.

****Please contact the Maryland Department of Agriculture if you are experiencing rejected FMNP checks.**

Comparison Between FMNP Checks and eWIC Fruit and Vegetable Benefit (FVB)

FMNP	FVB
<i>When Issued?</i>	
Once every year during the market season	Monthly, Year-round
<i>What are the dollar values of the checks and FVB's?</i>	
\$5 (6 checks totaling \$30)	\$9 \$11 \$16.50
<i>Can the participant pay cash if the purchase price exceeds the value of the FVB or FMNP check?</i>	
Yes	Yes
<i>Customer Usage</i>	
Checks can be used between June 1 and November 30 Price is pre-filled Participant must sign checks	Participant must have FVB benefits in their benefit balance Farmer slides eWIC card on Point of Sale equipment (POS) Participant enters PIN
<i>Product Types</i>	
Grown in Maryland or contiguous counties of bordering states Herbs are allowed	Fruits and Vegetables from any source Herbs are not allowed
<i>Deposit Procedure</i>	
Farmers must stamp all FMNP checks with their FMNP stamp Deposit checks between June 1 and December 7 Farmer is responsible for returned check fees	No deposits Payment is automatically deposited to bank account, usually within 2 days
<i>Questions</i>	
Contact the Dept of Agriculture at 410-841-5776	Contact the WIC Vendor Unit at 410-767-5722

Training Materials

Training materials are offered to farmers at no cost. These materials are developed to help you train employees working at your stand and serve as convenient refreshers. They can also provide answers to questions and help with problems that you may encounter. To order any of these materials, please contact the Maryland Department of Agriculture at 410-841-5776.

The Farmer Identification Stamp

Use the same farmer identification stamps provided by MDA to stamp the Maryland FMNP and SFMNP checks. If you lose your stamp, or if it requires replacement, you should contact MDA.

Clean your stamp if it becomes dirty. Pay close attention to the image quality of the stamp's impression on your checks. If it is faded or illegible, re-ink the pad on the pull-out tray located on the side of the stamp or replace the stamp. For your reference, the brand of the stamps initially provided is IDEAL 50®, which is a premium quality self-inking stamp from M&R Marking Systems Inc. Illegible images may result in your FVCs being rejected for payment by the bank.



Sample Stamp Image

123



Farmer Monitoring and Investigations

Monitoring Visits

The Maryland WIC Program and the Maryland Department of Agriculture regularly monitor FMNP and WIC authorized farmers to verify compliance with the requirements of the Programs. The monitor will introduce him/herself, walk around, inspect any FMNP checks the farmer has on hand, and may observe a WIC or FMNP transaction.

The monitor conducting the review will check to see that:

- The FMNP/SFMNP sign is posted
- The eWIC Accepted Here sign is posted (eWIC farmers only)
- Farm name is displayed
- Prices are posted
- The correct FMNP and FVB redemption procedures are being followed

Any violation of WIC regulations is noted on a monitoring form. The person monitoring the farmer will discuss the findings with the farmer or farm representative and will be asked to sign the monitoring form. A copy of the form will be mailed to the farmer with a warning notice if violations are found. A follow-up visit will be conducted following the violation to see if corrective action has been taken.

Compliance Investigations

A farmer may also be the subject of compliance investigations. Compliance investigations are conducted by a contractor or a designated person who poses as a WIC participant. The undercover investigator will follow specific instructions provided by the Program. The purpose of compliance investigations is to verify compliance with WIC Program rules, federal regulations, and any other established procedures. **The farmer will not know he/she is under investigation, nor will he/she be notified of any violations uncovered until the investigation is finished.** The undercover investigators look for violations including but not limited to substitution of non-WIC FVB or FMNP items, overcharges, charging for food not received and trafficking FMNP or WIC FVBs. These violations may result in disqualification.

Farmer Sanctions

In accordance with CFR § 248.4 (a)(10), the Maryland Department of Agriculture (MDA) must sanction farmers, farmers' markets and/or roadside stands for failing to follow FMNP Rules and Regulations.

Sanctions will be administered as follows:

- First-time infraction will result in a letter to the farmer informing them of the infraction and requesting that it be remedied within 30 days of receipt of the letter.
- The FMNP Administrator will visit the farmer to confirm whether the infraction has been remedied within the 30-day timeframe.
- A second infraction or a major violation of federal regulations that govern the program (such as selling eligible foods that have not been grown by the authorized farmer) will result in a letter informing the farmer of the infraction and issuing a notice that the farmer will be removed from the program if the issue is not remedied within 10 days of receipt of the letter.
- A third infraction will result in the farmer's removal from the program for 1 market season. If a farmer wants to participate in the program again after being removed for 1 season due to sanctions, then he/she must submit an additional letter to MDA along with his/her application for participation explaining what steps have been taken to address the issue that led to sanctions.
- The farmer will be visited by either the FMNP Administrator or a Compliance Buyer or both in the first season that he/she is reinstated.

WIC Appeals

Farmers may request an appeal if they are disqualified from accepting WIC FVBs. You will receive a letter at least 15 days before the WIC Program takes any action against you. The letter will include the reason(s) for the action and advise you of your right to appeal the Program's decision. Your appeal must be received or postmarked by the United States Postal Service within 10 days of the date you receive the notification of proposed disqualification.

A farmer can request a hearing by filing a written request with:

State WIC Director
Maryland WIC Program
201 W. Preston Street, 1st Floor
Baltimore, Maryland 21201

The Office of Administrative Hearings shall have jurisdiction over the hearings. If a hearing is requested, the agency shall hold the hearing pursuant to:

Health-General Article, §§18-107(a) and 18-108,
Annotated Code of Maryland;

State Government Article, Title 10, Subtitle 2,
Annotated Code of Maryland;

COMAR 10.01.03;

COMAR 28.02.01; and

COMAR 10.54.03.18.

A farmer may *not* appeal the following WIC actions:

- Disqualification from WIC resulting from a violation of COMAR 10.54.03.15B(1)(m);
- The State agency's decision as to whether a participant hardship exists (thereby warranting a civil money penalty in lieu of disqualification);
- The expiration of a farmer agreement; or
- The State agency's determination whether to notify a farmer in writing when an investigation reveals an initial violation for which a pattern of violations must be established in order to impose a sanction.

FMNP Appeals

Farmers may request an appeal if they are disqualified from accepting FMNP checks. You will receive a letter at least 15 days before the Maryland Department of Agriculture takes any action against you. The letter will include the reason(s) for the action and advise you of your right to appeal the Program's decision. Your appeal must be received or postmarked by the United States Postal Service within 10 days of the date you receive the notification of proposed disqualification.

A farmer can request a hearing by filing a written request with:

Marketing Specialist
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

Farmer Complaints

WIC participants are not permitted to cause a disturbance, abuse your employees, or violate the procedures for redeeming FVBs or FMNP checks. If you have a complaint against a WIC participant, make a copy of the blank Farmer Complaint Form on page 19, complete the form and send it to the State WIC office. The Farmer Complaint Form is also available online at www.mdwic.org in the WIC farmer section of the website. You should provide as much detail as you can about the complaint (who, what, when, where, etc.). Please be sure to identify yourself in the area designated for the FMNP I.D. Number. The complaint will be investigated, and the appropriate action taken. *For reasons of confidentiality, we may not disclose actions taken against WIC participants.*

Fax Number for State WIC Office: 410-333-5683

You may also mail the form:

**Maryland WIC Program
201 W. Preston Street, 1st Floor
Baltimore, MD 21201**

Farmer Complaint Form



FARMER COMPLAINT FORM

Instructions: If you have a complaint against a WIC participant, complete this form (except for the section below shaded area at the bottom of the page) and mail or fax it to the State WIC Office. **If more room is needed, use the back of this form or attach a separate page.**

eWIC Card Number/FMNP check number: _____

Participant's name _____ Date and time of incident _____

☐ Abused staff by: _____

☐ Bought/tried to buy unauthorized items: _____

☐ Redeemed/tried to redeem an invalid FVB/FMNP check. Explain: _____

☐ Returned/tried to return WIC/FMNP foods: _____

☐ Other: _____

What action did your staff take? _____

Witnesses: _____

Farmer's name: _____ FMNP ID number: _____

Person making this report: _____

Fax to State WIC Office: 410-333-5683. You may also mail this form to: Maryland WIC Program, 201 W. Preston Street 1st Floor, Baltimore, MD 21201

For State Use Only:

Instructions: Explain any action taken and note the same in WOW.

Action taken:

Local Agency or Staff signature: _____ Title: _____

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Frequently Asked Questions

Can my customers combine their FMNP checks to maximize their purchases?

Answer: *Yes, your customers may combine their FMNPs (for example, use three \$5 FMNPs for a combined purchase of \$15).*

Where can we obtain replacement FMNP stamps?

Answer: *Replacement stamps may be obtained from your contact person at MDA. Please call 410-841-5776 to request a replacement stamp.*

We have unsigned FMNP checks. How can we get the customer to return and sign them?

Answer: *We are unable to contact the participants. For this reason, be sure to obtain the customer's signature at the end of the purchase.*

My WIC customer isn't sure how much they have to spend in fruit and vegetable benefits. How can I find out how much they have available to spend?

Answer: *You can run a Balance Inquiry on the POS machine. Select "Balance Inquiry", scan the eWIC card, customer enters their PIN and the balance will print.*

Can I be reimbursed for my rejected FMNP fees?

Answer: *MDA cannot reimburse you for rejected check fees.*

Is my stand required to post the *FMNP /SFMNP Accepted Here* sign or can we develop our own?

Answer: *FMNP authorized farmers must post the Program provided sign even if the farmer has developed their own sign.*

Is my stand required to post the *eWIC Accepted Here* sign or can we develop our own?

Answer: *WIC authorized farmers must post the Program provided sign even if the farmer has developed their own sign. Note: use of the WIC acronym or logo is prohibited unless prior approval has been obtained from the WIC Program.*

My stand carries other foods such as cheese and bread. Can I sell these foods to customers using FMNP and eWIC fruit and vegetable benefits?

Answer: *No. You may only accept FVBs and FMNP checks for eligible foods as described in this manual. If you sell these items and your customer wants to purchase them and pay for them on their own, they may do so; however, this would not be considered a WIC or FMNP purchase.*

Why do the FMNP and WIC Programs put restrictions on foods, such as those in the DO NOT BUY list?

Answer: *Both programs are USDA federally funded and regulated programs. Because the goal of these programs is to promote good health, the foods they provide must supply the highest level of nutrients.*

My stand carries cultural foods like Aloe Vera and Cactus. Are these considered vegetables?

Answer: *Cultural foods used as vegetables may be purchased with fruit and vegetable benefits. If grown by the authorized farmer, cultural foods may be purchased with FMNP checks.*

Can customers purchase pumpkins with a FMNP check or fruit and vegetable benefit?

Answer: *A pumpkin is a fruit and can be purchased with FMNP checks or FVBs. However, customers cannot use their FMNP or FVB to pay for painted or decorated pumpkins.*

Who to Call If You Need Assistance

Questions regarding WIC Fruit and Vegetable Benefits (FVBs):

Terri Buckler, WIC Farmers' Market Administrator
Maryland WIC Program
410-767-5722
Terri.Buckler@Maryland.gov

FMNP or SFMNP check questions:

Weida Stoecker, FMNP Administrator
Maryland Department of Agriculture
410-841-5776
Weida.stoecker@maryland.gov

eWIC Equipment:

Solutran
866-730-7746
ebtservices@solutran.com

[illegible]

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](http://www.ascr.usda.gov/complaint_filing_cust.html), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

Maryland Department of Health
Robert R. Neall, Secretary

Maryland WIC Program
201 W. Preston Street
Baltimore, MD 21201
1-800-242-4WIC
www.mdwic.org

Maryland Department of Agriculture
Joseph Bartenfelder, Secretary

Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, MD 21401
1-800-492-5590
www.mda.maryland.gov